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09/667,889	09/22/2000	Charles Cameron Brackett	15-UL-5585	1227

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EXAMINER

TABATABAI, ABOLFAZL

ART UNIT PAPER NUMBER

2625

DATE MAILED: 01/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/667,889

Applicant(s)

BRACKETT, CHARLES CAMERO

Examiner

Abolfazl Tabatabai

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 23 and 24 is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other:

### **Response to Amendment/Arguments**

1. Applicant's arguments, (pages 11-16), filed on November 6, 2003 with respect to the rejection(s) of claim(s) 1-3 Van de Velde (U S 5,646,416) in view of Pelissier (U S 6,325,759 B1) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Adan et al (U S 6,303,924 B1) in view of Jago et al (U S 5,938,607).

### **Claim Rejections - 35 USC § 103**

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,5,7-10,13-15,19, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adan et al (U S 6,303,924 B1) in view of Jago et al (U S 5,938,607).

Regarding claim 1, Adan discloses image sensing operator input device comprising:

a parallel port (column 5, line 1);

means for associating said study identifier with said frame of image data in a first format (column 12, lines 35-43);

means for sending said frame of image data with said associated study identifier in said first format out said parallel port (column 5, line 1 and column 19, lines 19-22).

However, Adan is silent about specific details regarding the steps of:

a serial port;

means for associating said identifier and said report data in a second format different than said first format; and,

means for sending said report data and said study identifier in said second format out said serial port;

memory storing a frame of image data belonging to a study and report data belonging to said study;

memory that electrically stores a study identifier that identifies a study, a frame of image data belonging to said study and report data belonging to said study.

In the same field of endeavor, however, Jago discloses an ultrasound diagnostic imaging system comprising the steps of:

a serial port (column 3, lines 31-37);

means for associating said identifier and said report data in a second format different than said first format (column 5, lines 13-16; column 7, lines 63-67 and column 8, lines 1-4);

means for sending said report data and said study identifier in said second format out said serial port (column 7, lines 63-67; column 8, lines 1-4 and column 10, lines 43-49); and,

memory that electrically stores a study identifier that identifies a study, a frame of image data belonging to said study and report data belonging to said study (column 3, lines 16-18).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the memory storing a frame of image data and a parallel port and serial port as taught by Jago, in the system of Adan because Jago provides Adan improvements in ultrasonic imaging systems which can access data, images messages, and other kinds of information from other ultrasound systems and information sources.

Regarding claim 5, Adan is silent about the specific details regarding the scanner wherein said parallel port comprises an Ethernet connection.

In the same field of endeavor, however, Jago discloses an ultrasound diagnostic imaging system comprising the step of:

the scanner wherein said parallel port comprises an Ethernet connection (column 4, lines 58-61).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use Ethernet connection as taught by Jago, in the system of Adan because Jago provides Adan improvements in ultrasonic imaging systems which can access data, images messages, and other kinds of information from other ultrasound systems and information sources.

Regarding claim 7, Adan is silence about the specific details regarding an image acquisition subsystem for acquiring said frame of image data, wherein said image acquisition subsystem comprises an array of ultrasound transducer elements.

In the same field of endeavor, however, Jago discloses an ultrasound diagnostic imaging system comprising the step of:

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an image acquisition subsystem for acquiring said frame of image data, wherein said image acquisition subsystem comprises an array of ultrasound transducer elements (column 2, lines 52-60).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use array of ultrasound elements as taught by Jago, in the system of Adan because Jago provides Adan improvements in ultrasonic imaging systems which can access data, images messages, and other kinds of information from other ultrasound systems and information sources.

Regarding claim 8, Adan discloses the scanner, further comprising:

a display monitor (column 5, lines 1-7),

means for displaying said frame of image data on said display monitor (fig. 1 element 47).

However, Adan is silent about the specific details regarding the steps of:

means for measuring a feature in said displayed frame to acquire measurement data; and,

a user interface screen for displaying said measurement data on said display monitor,

wherein said report data in said memory comprises said measurement data.

In the same field of endeavor, however, Jago discloses an ultrasound diagnostic imaging system comprising the steps of:

means for measuring a feature in said displayed frame to acquire measurement data (column 1, lines 44-49); and,

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a user interface screen for displaying said measurement data on said display monitor (column 6, lines 14-17); and,

wherein said report data in said memory comprises said measurement data (column 1, lines 44-49).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use measuring and user interface screen as taught by Jago, in the system of Adan because Jago provides Adan improvements in ultrasonic imaging systems which can access data, images messages, and other kinds of information from other ultrasound systems and information sources.

Claims 9, is similarly analyzed as claim 1 and 8 above.

Claim 10, 15 are similarly analyzed as claim 1, above.

Claim 13, is similarly analyzed as claim 7, above.

Claim 14, is similarly analyzed as claims 1 and 7 above.

Claim 19, is similarly analyzed as claim 5, above.

Regarding claim 21, Adan discloses a view station comprising:

a display monitor (fig. 1 element 47);

a parallel port (column 5, line 1);

memory (column 4, lines 17-34); and,

a computer programmed to perform the following steps:

storing frames of image data in said memory, each frame having associated therewith a respective study identifies identifying the particular study to which said frame belongs (Fig. 1 element 50);

detecting report data having no study identifier associated therewith (column 7, lines 63-67);

generating a message on said display monitor requesting confirmation that said report data should be linked to said frame having said closely matching attributes (column 6, lines 53-64); and,

attaching said study identifier to said report data in response to receipt of a user input indicating confirmation via said operator interface (column 7, lines 31-34).

However, Adan is silent about the specific details regarding the steps of:

- a user interface;

- a serial port;

- receiving report data via said data port;

- associated said frames of image data for a frame having attributes associated with said image data, which closely match attributes associated with said report data.

In the same field of endeavor, however, Jago discloses an ultrasound diagnostic imaging system comprising the steps of:

- a user interface (column 6, lines 14-17);

- a serial port (column 3, lines 31-37);

- receiving report data via said data port (column 7, lines 63-67 and column 8, lines 1-4).

- associated said frames of image data for a frame having attributes associated with said image data, which closely match attributes associated with said report data (column 7, lines 63-67 and column 8, lines 1-4).



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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the user interface and serial port as taught by Jago, in the system of Adan because Jago provides Adan improvements in ultrasonic imaging systems which can access data, images messages, and other kinds of information from other ultrasound systems and information sources.

Claim 22, is similarly analyzed as claim 21, above.

4. Claims 2-6, 11,12,16-18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adan et al (U S 6,303,924 B1) and Jago et al(U S 5,938,607) as applied to claim 1 above, and further in view of Van de Velde (U S 5,646,416).

Regarding claim 2, Adan and Jago are silent about the specific details regarding the scanner wherein said first format conforms to DICOM standards.

In the same field of endeavor, however, Van de Velde discloses an ultrasound diagnostic imaging system comprising the step of:

the scanner wherein said first format conforms to DICOM standards (column 4, lines 5-8).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use first format conforms to DICOM standards as taught by Van de Velde, in the system of Adan because Van de Velde provides Adan a system for identifying a radiation image that makes use of the exiting modalities in a hospital and that avoids of reentering of identification data and this system is advantageous in that the operator of the identification station gets access to data stored in an information system.

Claim 3, is similarly analyzed as claim 2 above.

Regarding claim 4, Adan and Jago are silent about the specific details regarding the scanner wherein said second format is ASCII format.

In the same field of endeavor, however, Van de Velde discloses an ultrasound diagnostic imaging system comprising the step of:

the scanner wherein said second format is ASCII format (column 6, lines 38-53).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use ASCII format as taught by Van de Velde, in the system of Adan because Van de Velde provides Adan a system for identifying a radiation image that makes use of the exiting modalities in a hospital and that avoids of reentering of identification data and this system is advantageous in that the operator of the identification station gets access to data stored in an information system.

Regarding claim 6, Adan and Jago are silent about the specific details regarding the scanner wherein said serial port comprises an RS232 interface.

In the same field of endeavor, however, Van de Velde discloses an ultrasound diagnostic imaging system comprising the step of:

the scanner wherein said serial port comprises an RS232 interface (column 3, lines 56-62).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use RS232 interface as taught by Van de Velde, in the system of Adan because Van de Velde provides Adan a system for identifying a radiation image that makes use of the exiting modalities in a hospital and that avoids of reentering of

identification data and this system is advantageous in that the operator of the identification station gets access to data stored in an information system.

Claim 11, 16 and 17 are similarly analyzed as claim 2, above.

Claim 12, is similarly analyzed as claims 5 and 6 above.

Claim 18, is similarly analyzed as claim 4, above.

Claim 20, is similarly analyzed as claim 6, above.

### **Allowable Subject Matter**

5. The following is an Examiner's statement of reasons for allowance.

The prior art of record fails to teach or suggest, retrieving said frame of image data and said study identifier from said memory and constructing a data object comprising said frame of image data and said study identifier in a first format in response to a third command inputted via said operator interface, retrieving said study identifier from said memory and constructing a file comprising said study identifier and said report data in said filled fields in a second format different than said first format in response to a fifth command inputted via said operator interface, in combination into other features and element of claim 23.

Claims 23 and 24 are allowed.

### **Other prior art cited**

6. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

U. S. Patent (5,795,297) to Dagle, Ronald E. is cited for ultrasonic diagnostic

imaging system with personal computer architecture.

U.S. Patent (5,603,323) to Pflugrath et al is cited for medical ultrasonic diagnostic system with upgradeable transducer probes and other features.

U.S. Patent (6,032,120) to Rock et al is cited for accessing stored ultrasound and other digital medical images.

U.S. Patent (4,764,870) to Haskin is cited for system and method for remote presentation of diagnostic image information.

The examiner can normally be reached on Monday through Thursday from 9:30 a.m. to 7:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Bhavesh Mehta M, can be reached at (703) 308-5246.

**Any response to this action should be mailed to:**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9306 (for **formal** communications; please mark  
**"EXPEDITED PROCEDURE"**)

**Hand delivered responses** should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750

Abolfazl Tabatabai

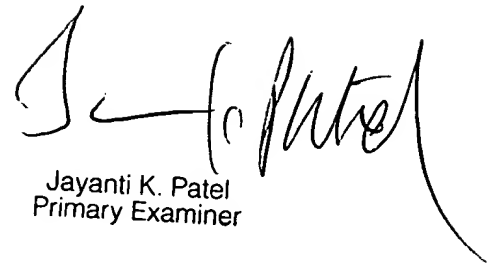
Patent Examiner

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January 22, 2004



Jayanti K. Patel  
Primary Examiner